

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
MARTHA SUE JACKSON
OCTOBER 12, 2017**

PLSB CASE NO. 17-208

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on October 12, 2017, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee for disciplinary action against the teaching license of Martha Sue Jackson (Educator Jackson). Based upon Educator Jackson's consent to the subcommittee's recommendation, and the evidence presented, in accordance with the Administrative Procedures Act, Ark. Code Ann. 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact

- a. The Arkansas Department of Education issued Martha Sue Jackson a standard five-year teaching license on January 1, 2014, valid until December 31, 2018.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Educator Jackson violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. On May 5, 2017, the Subcommittee authorized an investigation into allegations that Educator Jackson violated Standard 2: An educator maintains competence regarding his or her

professional practice inclusive of skills, knowledge, dispositions, and responsibilities relating to his or her organizational position.

- d. Educator Jackson was notified on May 9, 2017, of the subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on August 4, 2017, the subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 2 in that when a student refused to work, Educator Jackson went to the RTI room, grabbed a pair of scissors, and proceeded to cut a first-grader's hair. Educator Jackson then placed the hair in the trash, subsequently removed the hair from the trash can, and then flushed it down the toilet in an adjoining room.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
 - (i) Suspend Educator Jackson's license for one (1) year;
 - (ii) Assess a \$100 fine, which is due within ninety (90) days of the State Board's final order;
 - (iii) Require her to complete training through the ArkansasIDEAS online portal taking Course IAD 14491: *Classroom Management: Managing Challenging Behavior* (2 hours);
 - (iv) Require her to complete training through the ArkansasIDEAS online portal taking Course IAD 14501: *Differentiated Instruction: Leading and Managing a Differentiated Classroom* (8 hours);
 - (v) Require her to write a reflection on each training on how the training will affect her interaction with students in the classroom. The written reflection must be submitted to the PLSB office within ninety (90) days following the Board's final order;
 - (vi) Educator may return to the classroom after the conclusion of the 12 month suspension, AND after educator provides a letter from a licensed psychiatrist stating that the educator is fit to return to the classroom; and
 - (vii) All associated costs will be paid by Educator Jackson.
- g. On August 9, 2017, Educator Jackson, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

On August 29, 2017, Educator Jackson accepted the Ethics Subcommittee's recommendation, thereby waiving her right to any further notice, hearing, or any other rights she may have under

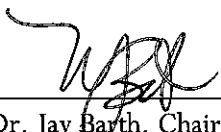
the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

- h. At today's meeting, the subcommittee's recommendation, and supporting documentation were presented to the Board as part of its consent agenda.

II. Conclusions of Law

- a. Upon consideration of the evidence presented at the meeting, Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board adopts the Ethics Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Jackson for her violation of the Code of Ethics and adopts the recommendation for actions as outlined by the Ethic's Subcommittee.
- b. Educator Jackson is cautioned that her non-payment of the assessed fine of \$100 will result in the continued suspension of her license until the fine is paid in full.
- c. Educator Jackson is cautioned that further violations of the Code of Ethics or failure to pay the fine within thirty (30) days from the date of this order may result in more severe discipline including permanent revocation of her license.
- d. This order shall remain permanently in Educator Jackson's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Jay Bayth, Chair
Arkansas State Board of Education